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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
_____)	

**THE RESCAP BORROWER CLAIMS TRUST’S COUNTER-
DESIGNATION OF ITEMS FOR RECORD ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure and Rule 8007-1 of the Local Bankruptcy Rules for the Southern District of New York, the ResCap Borrower Claims Trust (the “**Borrower Trust**”), established pursuant to the terms of the *Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, et al. and the Official Committee of Unsecured Creditors* [Docket No. 6030] (the “**Plan**”)¹ in the above-captioned Chapter 11 cases (the “**Chapter 11 Cases**”), hereby submits the following counter-designation of additional items to be included in the record on appeal in connection with the Notice of Appeal [Docket No. 9116] filed by appellant Alan Moss (the “**Appellant**”), from the *Memorandum Opinion and Order*

¹ The Plan was confirmed by order of the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”) dated December 11, 2013 [Docket No. 6065] and the Plan’s effective date occurred on December 17, 2013. The Plan provides for the creation and implementation of the Borrower Trust. *See* Plan, Art. IV.F. The Plan further provides that the Borrower Claims Trustee is deemed the representative of the Debtors’ estates for the purpose of prosecuting objections to borrower claims, *see* Plan, Art. IV.S.

Sustaining the ResCap Borrower Claims Trust's Objection to Amended Claim No. 4445 Filed by Alan Moss [Docket No. 9052], which was entered by the Bankruptcy Court on August 24, 2015.

The Borrower Trust designates the following additional items to be included in the record on appeal.²

A. Pleadings

Docket No.	Description
2093	Order Extending Deadline for Filing Proofs of Claim
3294	Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1009, 3007 and 9019(b) Approving (I) Claim Objection Procedures, (II) Borrower Claim Procedures, (III) Settlement Procedures, and (IV) Schedule Amendment Procedures
6065	Order Confirming Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, <i>et al.</i> and the Official Committee of Unsecured Creditors
6137	Notice of Entry of Confirmation Order Confirming the Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, <i>et al.</i> and the Official Committee of Unsecured Creditors and Occurrence of the Effective Date
7642	Response [of Alan Moss] in Opposition to ResCap Borrower Claims Trust's Seventy-Fifth Omnibus Objection to Claims
8566	Letter from Alan Moss to Judge Glenn dated April 6, 2015 Requesting Conference on Discovery Disputes
8567	Order Regarding Discovery Dispute Raised by Alan Moss
8582	Notice of Adjournment of Hearing on ResCap Borrower Claims Trust's Objection to Amended Claim No. 4445 Filed By Alan Moss to June 23, 2015 at 10:00 a.m. (Prevailing Eastern Time)
8666	Notice of Extension of Time for Alan Moss to File a Response to the ResCap Borrower Claims Trust's Objection to Amended Claim No. 4445 Filed By Alan Moss to June 3, 2015 at 4:00 P.M.

² For the avoidance of doubt, with regard to any pleadings and/or exhibit lists designated by the Borrower Trust, the Borrower Trust also designates any and all exhibits filed with, attached to, or otherwise referenced in such documents. For the further avoidance of doubt, the Borrower Trust designates all items designated by Appellant in Docket No. 9165, Case No. 12-12020 (MG).

B. Other

Docket No.	Description
N/A	Proof of Claim Number 4445 Filed by Alan Moss on November 7, 2012
8293	Transcript of Hearing held on February 11, 2015 at 10:00 a.m. (EST)
8838	Transcript of Hearing held on June 23, 2015 at 10:00 a.m. (EST)

Dated: October 1, 2015
New York, New York

/s/ Norman S. Rosenbaum

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